

# PROCLAMATION

BY THE

Governor of the State of Texas

NO.

HB 440

REPRODUCED FROM THE  
HOLDINGS OF THE  
TEXAS STATE ARCHIVES

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I am vetoing and filing with the Secretary of State House Bill No. 440, a proposed revision of the Adult Probation Law.

The reason for my veto is the provision of House Bill No. 440 that, in my opinion, would tend to cause a relaxation and softening of our laws against driving while intoxicated.

In Section 1 of the bill this language is found:

".....It is expressly understood that in each case of driving while intoxicated where the defendant is convicted, the judge trying such case may, in his discretion, determine whether or not said defendant's driver's license should be suspended as provided for under Article 6687b, Vernon's Annotated Civil Statutes, and may remit the fine or jail sentence and place the defendant on probation....."

I object to this language, or to any language that would qualify in any way the present statutory provision which provides that any person convicted of drunken driving has his Driver's License automatically suspended for a period of six months.

My object to any clouding of that provision is so strong that it outweighs my conviction that certain portions of House Bill 440 are highly desirable.

I know, from personal knowledge, that the sponsors of House Bill 440 did not intend it as a weakening blow against the present drunken driving laws, but I fear that the language of this bill as finally passed has that potential effect.

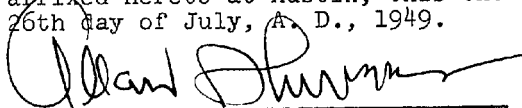
I sincerely regret that it is not within the Governor's province to strike out the objectionable provision and let the beneficial provisions stand.

Inasmuch as I cannot do so, I am forced to strike down the entire bill because I feel that we do not need any more leniency in the drunken driving law -- that, if anything, we need a stricter law.

The determined efforts of the Department of Public Safety, the Texas Safety Association, the Parent-Teachers' Associations and other interested civic groups and individuals throughout the State have resulted in appreciable progress in highway safety measures down through the years. During my legislative tenure I consistently advocated strong enforcement of our "DWI" statutes. In that spirit, and in recognition of the work that has gone into the promulgation and enforcement of our present laws on this subject, I cannot conscientiously sign House Bill 440.

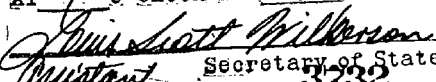
House Bill No. 440 reached the Governor's Office less than ten days prior to the adjournment of the Regular Session of the Fifty-first Legislature. In accordance with the Constitution, the bill, together with this proclamation containing my objections to the bill, is being filed with the Secretary of State.

IN TESTIMONY WHEREOF I have hereunto signed my name officially and caused the Seal of State to be affixed hereto at Austin, this the 26th day of July, A. D., 1949.

  
GOVERNOR OF TEXAS

BY THE GOVERNOR:

  
SECRETARY OF STATE

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
THIS 27 DAY OF July 1949  
AT 4 O'CLOCK AND 50 MINUTES  
  
Assistant Secretary of State  
3732